United Nations A/C.3/52/SR.39

General Assembly
Fifty-second session

Official Records

Distr.: General
8 December 1997

Original: English

Third Committee

Summary record of the 39th meeting
Held at Headquarters, New York, on Monday, 17 November 1997, at 3 p.m.

Chairman: Mr. Busacca ..... (Italy)
later: Mr. Wissa (Vice-Chairman) ..... (Egypt)
later: Mr. Busacca (Chairman) ..... (Italy)

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The meeting was called to order at 3.15 p.m.

Agenda item 106: Implementation of the outcome of the Fourth World Conference on Women *(continued)*

Draft resolution A/C.3/52/L.42: Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action

1. **Mr. Wissa** (Egypt) introduced the draft resolution.

Agenda item 109: Programme of activities of the International Decade of the World's Indigenous People *(continued)*

Draft resolution A/C.3/52/L.40/Rev.1: Programme of activities of the International Decade of the World's Indigenous People

2. **Mr. Frederiksen** (Denmark), introducing the draft resolution, said that Argentina and Turkmenistan had become sponsors. The sponsors hoped that the draft resolution would be adopted without a vote.

Agenda item 112: Human rights questions *(continued)*

(a) Implementation of human rights instruments *(continued)*

Draft resolution A/C.3/52/L.36: Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

3. **Mr. Splinter** (Canada), introducing the draft resolution, said that in addition to the sponsors listed on the document, Argentina, Australia, Cameroon, Costa Rica, Denmark, Georgia, Germany, Hungary, Ireland, Japan, Malta, the Netherlands, Norway, Portugal, the Republic of Korea, San Marino, Slovakia and Sweden wished to sponsor the draft resolution. The sponsors hoped that the draft resolution would be adopted by consensus.

Agenda item 108: Promotion and protection of the rights of children *(continued)* (A/C.3/52/L.25 and L.39)

Draft proposal A/C.3/52/L.39: United States of America: proposed amendments to the draft resolution contained in document A/C.3/52/L.25

4. **Mr. Frost** (United Kingdom), speaking on behalf of the sponsors of the draft resolution on the rights of the child contained in document A/C.3/52/L.25, expressed regret that the amendments proposed in document A/C.3/52/L.39 had been put forward at such a late stage, after delegations had pronounced themselves content with the results of lengthy negotiations on the text of the draft resolution. Two of the three proposed amendments had drawn no support during the negotiations, while the remaining one reflected a point that had not been raised at the time. The sponsors were thus unable to accept the amendments and urged their withdrawal by the delegation concerned in order to allow the draft resolution to be adopted without a vote.

5. **Mr. Winnick** (United States of America) said that his delegation was prepared to withdraw the amendments which it had proposed, but wished to explain its position before the adoption of the draft resolution.

6. *The amendments contained in document A/C.3/52/L.39 were withdrawn.*

Draft resolution A/C.3/52/L.25: The rights of the child

7. **The Chairman** informed the Committee that the draft resolution had no programme budget implications.

8. **Mr. Frost** (United Kingdom) said that the Bahamas, Latvia, Lesotho, Liberia, Morocco, Senegal, Tajikistan and Uzbekistan also wished to sponsor the draft resolution.

9. **Mr. Winnick** (United States of America), speaking in explanation of position, said that while his delegation was joining in the consensus on the draft resolution, it wished to point out that the language in paragraphs 1 and 9 of section IV regarding the use of children as combatants or soldiers was confusing and also inconsistent with existing international standards as set forth in international humanitarian and human rights law. In United Nations instruments, the term "child" commonly referred to anyone under the age of 18 years. However, 15 years was the minimum age for military service under general international law, as well as under Protocol I additional to the Geneva Conventions and the Convention on the Rights of the Child. No consensus had been reached in the ongoing negotiations on an optional protocol to the Convention on the Rights of the Child that would, *inter alia*, set a different minimum age for military service, and it would be inappropriate for the General Assembly to prejudge their outcome.

10. With respect to the question of sanctions raised in paragraph 14, his Government believed that when sanctions were applied to countries where human rights violations extended to the abuse of children, such sanctions were in effect a weapon wielded on children's behalf. Moreover, sanctions regimes generally permitted the provision of humanitarian assistance, of which children were the principal beneficiaries.

11. His delegation also noted that paragraph 9 of section VI called for the prevention of child labour, while other

references called for the elimination of exploitative child labour. Under international law, States only had an obligation to eliminate the latter, which did not cover all forms of child labour.

12. His delegation was deeply concerned about the use of unclear and imprecise language and strongly preferred the language and approach used in paragraph 12 of Commission on Human Rights resolution 1997/78. In the present case, paragraphs 1 and 9 of section IV should express grave concern about or urge an end to practices that were "in violation of international humanitarian or human rights law" or "in violation of the law of armed conflict and the Convention on the Rights of the Child". Fortunately, paragraph 3 of that section established its overall context by reaffirming the validity of the existing international standards.

13. *Draft resolution A/C.3/52/L.25 was adopted without a vote.*

14. **The Chairman** announced that the Committee had concluded its consideration of agenda item 108.

Agenda item 112: Human rights questions *(continued)* (A/52/3, 116, 173, A/52/254-S/1997/567, A/52/262, A/52/286-S/1997/647, A/52/301-S/1997/668, A/52/347, 432, 437 and A/52/447-S/1997/775)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms *(continued)* (A/52/66, A/52/81-S/1997/153, A/52/85-S/1997/180, A/52/117, A/52/125-S/1997/334, A/52/133-S/1997/348, A/52/134-S/1997/349, A/52/135, 151, 182, 204, 205, 468, 469 and Add.1, 473, 474, 475, 477, 483, 489, 494, 498, 548 and 567)

(c) Human rights situations and reports of special rapporteurs and representatives *(continued)* (A/52/61-S/1997/68, A/52/64, A/52/125-S/1997/334, A/52/170, 472, 476, 479, 484, 486/Add.1/Rev.1*, 490, 493, 496, 497, 499, 502, 505, 506, 510, 515, 522, 527 and 583)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action *(continued)* (A/52/36 and 182)

(e) Report of the United Nations High Commissioner for Human Rights *(continued)* (A/52/36 and 182)

15. **Mr. Symonides** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that, in accordance with General Assembly resolution 51/88, UNESCO would mark the fiftieth anniversary of the Universal Declaration of Human Rights by intensifying its own contribution to United Nations system-wide efforts to promote and protect human rights. The General Conference of UNESCO had recently approved a Plan of Action for the fiftieth anniversary that envisaged assessing the status of human rights implementation, giving new impetus to human rights education and mobilizing support for human rights, particularly among young people.

16. UNESCO was actively involved in implementing the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004, and was organizing regional conferences and issuing publications on human rights in the context of activities to mark the fiftieth anniversary. It was also encouraging national and local organizations and associations to plan, coordinate and carry out special activities related to the fiftieth anniversary.

17. While giving priority to the consolidation and full implementation of existing human rights, UNESCO was also examining the possible human rights consequences of the information revolution. Moreover, its analysis of recent advances in biotechnology and their possible impact on human rights had culminated in the adoption by the General Conference of a Universal Declaration on the Human Genome and Human Rights. The General Conference had also adopted a Declaration on the Responsibilities of the Present Generation towards Future Generations, which stressed full respect for human rights and the ideals of democracy.

18. For UNESCO, the Vienna Declaration and Programme of Action served as a guide for all activities related to the promotion and protection of human rights. The Organization attached great importance to the fact that the Vienna Declaration had confirmed the universality of human rights and rejected the notion of cultural relativism.

19. *Mr. Wissa (Egypt), Vice-Chairman, took the Chair.*

20. **Ms. Smith** (International Labour Organization (ILO)) said that, in recent years, ILO had perceived a need to emphasize certain fundamental human rights contained in seven of its core Conventions, namely, freedom of association and collective bargaining, prohibition of forced labour, including forced labour of children, equality of treatment and non-discrimination, and a minimum age for employment. That emphasis was based on the underlying assumption that economic progress resulting from the liberalization of trade should be accompanied by social

progress, as well as on a growing consensus in the international community in support of those rights.

21. Accordingly, ILO had launched a campaign for the universal ratification of its seven core Conventions and was also debating how best to promote universal respect for the fundamental rights which they embodied. The ILO Governing Body was considering the possible adoption of a solemn declaration on those rights, including a follow-up mechanism that would seek to ensure their promotion whether or not the corresponding Conventions had been ratified.

22. Work was already well under way on a convention aimed at the immediate elimination of intolerable forms of child labour, for possible adoption at the 1999 International Labour Conference. ILO was also pursuing parallel work through the implementation of the Programme for the Elimination of Child Labour (IPEC), in which an increasing number of countries were participating. At the same time, ILO remained committed to its fundamental objectives in other areas, such as fighting discrimination against indigenous peoples, migrant workers and women and lowering barriers to women's participation in the workforce.

23. **Ms. Babuska** (Romania) noted with satisfaction that human rights were being given priority under the United Nations ongoing reform process. As a party to the principal international human rights instruments, Romania considered their universal ratification a basic objective for all States and reaffirmed its support for the initiatives taken by the Secretary-General, the United Nations High Commissioner for Human Rights and the human rights treaty bodies in that regard. Careful consideration should be given to the various proposals for making the treaty monitoring system more effective and improving coordination among the different monitoring bodies. Her Government supported the activities carried out by the Commission on the Status of Women and the Commission on Human Rights in that regard. While the growing number of States parties to the international human rights instruments was cause for satisfaction, the States concerned must take practical legislative and institutional measures to comply with their obligations thereunder.

24. Recent steps by Romania to upgrade its legislative and institutional machinery in the field of human rights included the adoption of a law establishing a post of Ombudsman to ensure that the authorities respected the rights and freedoms of citizens. While Governments were responsible for promoting human rights, the participation of civil society was necessary in order to disseminate democratic values and human rights, *inter alia*, through educational programmes. In accordance with General Assembly resolution 48/127, Romania had been carrying out a national action plan on education for human rights and democracy, aimed at enhancing awareness of human rights issues, national human rights legislation and international human rights instruments, through the media, training courses and research publications. Such activities reflected her Government's commitment to the establishment of a genuine human rights culture in Romania. Her country also intended to take an active part in activities to mark the fiftieth anniversary of the Universal Declaration of Human Rights and the five-year review of the implementation of the Vienna Declaration and Programme of Action, which should lend impetus to international efforts for the effective promotion of human rights.

25. **Mr. Chkheidze** (Georgia) said that his Government was deeply committed to the promotion of human rights and had made significant progress in that area, despite the unresolved conflicts in the separatist regions of South Ossetia and Abkhazia which were seriously affecting the overall human rights situation in the country. Georgia's Parliament had recently adopted a new Criminal Code which abolished capital punishment; that was a major step forward in Georgia's progress towards democracy and was in keeping with international human rights standards. Following the consideration of its initial report by the Human Rights Committee in 1997, his Government had taken specific measures to strengthen the protection of human rights, acting on the Committee's recommendations. A human rights Ombudsman had been appointed and strict controls had been established to prevent torture and ill-treatment in places of pre-trial detention. A booklet on international standards for the protection of human rights had been circulated among law enforcement personnel and was designed to explain responsibility under the law for human rights violations committed during pre-trial detention, imprisonment or interrogation. His Government would continue its efforts to implement the Human Rights Committee's recommendations, in a major step towards establishing internationally accepted standards in Georgia.

26. His country had always advocated racial and religious tolerance. Even when forced to fight off powerful adversaries, it had managed to avoid espousing xenophobia and religious fanaticism. Some 300,000 refugees and internally displaced persons were currently scattered throughout Georgia as a result of the armed conflict in Abkhazia. Owing to difficult living conditions, some refugees had returned voluntarily to their homes in Abkhazia, where, despite the efforts of the United Nations Observer Mission in Georgia (UNOMIG), the peacekeeping forces of the Commonwealth of Independent States and the

United Nations human rights office, they had to endure humiliation and constant threats on the part of the region's separatist leadership. Incidents of hostage-taking and executions of the Georgian population were particularly worrisome. His country was counting on the human rights office and the United Nations High Commissioner for Human Rights for assistance in that regard.

27. **Mr. Khalid** (Sudan) said that national efforts to promote and protect human rights were just as important as international cooperation to that end. Provisions on non-discrimination were enshrined in his country's Constitution. The constitutional bill ratified by the National Assembly on 23 July 1997, following the peace settlement signed at Khartoum three months earlier, defined the Sudan as a multi-ethnic, multicultural, multiconfessional State in which there was freedom of religion and a large measure of decentralization, the various provinces having broad legislative authority within their areas of competence. The Government was currently working with the various religious denominations to prepare draft legislation on religion that would be satisfactory to all.

28. Tolerance and coexistence were not just matters of law, however, they were also matters of practical daily life and, as such, involved education. The Sudan proposed to educate its young people to respect universal human values, regardless of such factors as race and religion. The State radio service was setting an example with its programming in various languages and dialects and its transmitters in various parts of the country. In an effort to promote tolerance and mutual understanding on an international scale, the Sudan advocated the holding of an international conference for interfaith dialogue, which would be attended by religious leaders from various countries, including the United States and Europe.

29. The charges of intolerance levelled against the Sudan by various quarters were thus unfounded and doubtless attributable to unfamiliarity with the situation actually obtaining in the country, or else to political motives such as a desire to denigrate Islam and Muslims. The findings presented in the report of the Special Rapporteur on the elimination of religious intolerance (A/51/542/Add.2) were sufficient refutation of those charges. He suggested that the Committee consider developing a code of conduct aimed at restraining those who sought to denigrate the Islamic faith on the pretext of concern for human rights.

30. The false, politically motivated charges against his country had even included suggestions that citizens from the southern part of the country had been enslaved. There was a mass of evidence to disprove that charge. Some 3 million people from the south had moved to northern Sudanese cities during the civil war and were still living there, evidently without fear of being enslaved. Allegations of slavery came from sources known for their hostility to Muslims, and to Arabs in general, and for their habit of associating both with terrorism. His Government had appointed an independent commission to investigate such allegations and the commission had found no evidence to support them. He reiterated his Government's invitation to the Working Group on Contemporary Forms of Slavery to visit the Sudan and see for itself. He acknowledged that there had been a time when warring tribes had, on occasion, taken their enemies prisoner, but those days were long past, thanks in part to the efforts of the Sudanese Government in settling tribal conflicts, and slavery was subject to severe penalties under the Criminal Code.

31. A national committee had been set up to draft a permanent Constitution for the Sudan and part of its mandate was to give full consideration to all aspects of religious freedom. Comments and suggestions from the Third Committee would be welcome and any member of the Committee who wished to go to the Sudan and take part in the constitutional committee's deliberations was welcome to do so.

32. The Sudan was a land of tolerance and peaceful coexistence. He urged the international community to disregard calls for the partition and dissolution of countries, especially developing countries, which needed cohesion in order to develop economically and thereby promote and protect human rights.

33. **Mr. Zackheos** (Cyprus) reaffirmed his Government's commitment to the universal promotion and protection of human rights and its strong support for the efforts of the United Nations High Commissioner for Human Rights to make human rights an integral part of all United Nations activities. Those who refused to respect human rights and disregarded their international commitments must be held fully accountable. For that reason, his Government had consistently supported the establishment of an international criminal court.

34. The Cyprus problem, which was a clear case of massive human rights violations as a result of Turkey's invasion and continued occupation of part of the island, remained a test case. Cyprus had been forcibly divided for more than 23 years and 37 per cent of its territory remained under Turkish military occupation. As a result of the expulsion of the indigenous population, more than 200,000 Cypriots were still being denied the basic human right to return to their homes in the occupied part of the country.

Furthermore, settlers from Anatolia were still being brought into Cyprus, in violation of the fourth Geneva Convention, thereby changing the demographic make-up of the island.

35. His Government was gravely concerned about the serious violations of the human rights of the Greek and Maronite Cypriots living in the Turkish-occupied area. Basic rights such as the right to freedom of movement, personal security, religion, education and health care were being denied to the few hundred persons remaining there in a calculated effort to ensure that, with the passage of time, those communities would cease to exist.

36. Thousands of families in Cyprus continued to suffer the pain caused by uncertainty as to the fate of disappeared or missing relatives. In July 1997, the President of Cyprus and the leader of the Turkish Cypriot community had discussed the problem and had agreed to find a solution, but the procedure for implementing the agreement had yet to begin despite assurances that work was in progress. His delegation hoped that all parties concerned would respond in a humanitarian spirit and take the necessary steps. In that connection, the Secretary-General could help by reactivating the Committee on Missing Persons through the appointment of a new third member. Unless that was done, the July agreement would prove to be of little use.

37. **Mr. Calovski** (The former Yugoslav Republic of Macedonia) agreed that human rights questions were one aspect of the Organization's work which had a direct effect on all others. Much remained to be done in that field, but action to promote human rights must take current realities into account. In the Balkan region, for instance, various positive and negative factors were influencing efforts to promote and protect human rights. His country, which was seeking integration with the European Union and maintained good relations with all its neighbours, was a functioning democratic State with a market economy. The situation in other countries of the region was different, however, and imposed a number of constraints.

38. It was clear that States themselves had to do their utmost to ensure that their citizens enjoyed human rights and fundamental freedoms; the international community and the United Nations could only help in that effort. In that connection, it was crucial that equal importance be given to the entire range of human rights.

39. Due consideration must be given to the human rights of minorities. Since there was no State in the Balkans that did not have ethnic or national minorities, his Government had been an active proponent of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. The position of minorities differed from country to country, but the aspiration of all of them to improve their political, economic, social and cultural situation should be supported. Separatism was not the answer, but rather the strengthening of democracy and the rule of law, tolerance, non-discrimination and cultural development within the countries where they lived.

40. Activities to commemorate the fiftieth anniversary of the Universal Declaration of Human Rights should focus on the elimination of the root causes of human rights violations, impediments to the implementation of international human rights instruments and the commitment to do much more in future to defend human dignity. The most effective programmes and activities would be those organized at the national level in each Member State.

41. Many delegations found it difficult to participate in the plethora of human rights bodies within the United Nations. A new, improved arrangement was needed, in which the Third Committee, working with the United Nations High Commissioner for Human Rights, would be involved on a continuous basis, in the promotion and protection of human rights, with the ability to adopt recommendations on current, topical issues.

42. ***Mr. Busacca*** *(Italy) resumed the Chair.*

43. **Mr. Borda** (Colombia) said that the United Nations High Commissioner for Human Rights had, in her statement, shown an understanding of the complexities of human rights issues and of the need for a balanced approach that gave due attention to economic, social and cultural rights. In working with United Nations agencies and programmes, including the Bretton Woods institutions, she would have to stand firm against the imposition of any political or ideological conditions on the implementation of the right to development. The established criteria of the universality, indivisibility and interdependence of all human rights must always direct an integrated approach to human rights.

44. The establishment of an office of the United Nations High Commissioner for Human Rights in Colombia had been a landmark in his country's cooperation with United Nations human rights mechanisms. That office had, it should be noted, been established at the initiative of the Government of Colombia and not, as erroneously stated in the report of the Secretary-General on the work of the Organization, by a Security Council decision. The few months since the office's establishment of the Office had proved especially fruitful in terms of cooperation and human rights. Within its mandate from the Commission on Human Rights to help the Colombian authorities develop human rights policies and programmes, the office had provided practical and legal advice to his Government and become an active interlocutor

in human rights affairs. It would also perform valuable service in furthering concerted action by all sectors of Colombian society.

45. One of the functions of the office was to receive complaints on human rights violations, including breaches of the international humanitarian law applicable to armed conflicts. It would be working with both the Government and the International Committee of the Red Cross (ICRC) in that connection. One interesting aspect of that function was the possibility of receiving complaints of violations by non-State agents, whose criminal responsibility was identical to that of public officials committing such acts and whose innocent victims suffered the same brutal consequences. There was a school of thought which maintained that international bodies had competence to monitor only the behaviour of States and which made a legal distinction between State and non-State agents of violence. Such thinking, however, precluded a comprehensive analysis of the situation in a specific country or armed conflict, as did the academic distinction between human rights and humanitarian law. In real life, there was no such distinction. Another school of thought, while recognizing the responsibility of the State to protect those living in its territory, held that the international community should also hold private individuals who perpetrated violence accountable, under the Protocols additional to the Geneva Conventions, especially Protocol II, and that ethical and legal position had been gaining ground. The international responsibility of rebel movements was now recognized and could, by analogy, be extended to internal armed conflicts. The international community should move more decisively in that direction by condemning non-State agents who resorted to inhumane practices in confronting a State, and by rejecting violence in all its forms, whether it was committed by State agents, vigilante groups, irregular armed groups or ordinary criminals.

46. **Mr. Plorutti** (Argentina), noting the responsibility of States to protect human rights by strengthening their national institutions in that field, said that two human rights departments had been set up in Argentina in 1983. The Ministry of the Interior had established a department whose responsibilities included the programme of reparation for acts committed between 1976 and 1983, while the Ministry of Foreign Affairs had instituted a department with responsibility for shaping foreign policy in the area of human rights and the advancement of women and for coordinating with international bodies in that field.

47. More recently, the executive branch had appointed a national counsel to ensure the protection of the human rights of inmates in federal prisons, as provided for by domestic law and the international conventions to which Argentina was a party. Both chambers of Congress had set up their own human rights units and a 1994 constitutional amendment had instituted an office of Ombudsman to protect individuals and the community against human rights violations by public officials.

48. The right to development was a fundamental human right and could be achieved only in a setting in which all human rights were enjoyed equally. Consequently, a country's lack of development could not be invoked to justify the curtailment of other human rights. Government policies that resulted in the unbalanced promotion and protection of some rights at the expense of others were indefensible. Regimes based on the denial of individual rights had been replaced by representative democracy and economic liberalization in many countries. Those countries must now make it a priority to defend all fundamental rights. Citizens must be involved in the conduct of public affairs, enjoy freedom of expression, association and the press and be able to participate in elections.

49. Human rights were being seriously eroded throughout the world. Armed conflicts among minorities and the resurgence of racism and xenophobia made it particularly important to consider the rights of minorities of all kinds. The situation of human rights in various parts of the world, as described in the reports before the Committee, was deeply disquieting. Any violation of human rights was a direct threat to peace, and while no country had a monopoly on the interpretation of what constituted human rights, none could invoke differences of historical, cultural or religious tradition to deny the universality, indivisibility and interdependence of human rights. His delegation was convinced that cooperation, rather than confrontation, among States would succeed in eliminating the causes of all human rights violations. The newly invigorated and restructured human rights machinery within the United Nations would be able to foster such progress.

50. **Mr. Mba Allo** (Gabon) said that the past year had seen grave human rights violations, including torture, summary executions, rigged trials, censorship, and the beating of suspects of African or Latin American origin in police stations in certain countries of the North. No continent was immune to such scourges, yet few States seemed able to view their own human rights record as clearly as they did the situation in other countries. He therefore called upon the Committee to scrutinize the record of every Member State, whether from the North or the South, with the same degree of rigour.

51. The past year had also seen a number of positive developments, however: the ending of the civil war in the Republic of the Congo, the holding of elections in Liberia and the adoption of the Conakry peace plan for the re-establishment of democratic government in Sierra Leone were all hopeful signs. He applauded the work of the Economic Community of West African States (ECOWAS) in Liberia and Sierra Leone, as well as the efforts of the international mediation committee in the Republic of the Congo, chaired by the President of the Gabonese Republic, which would continue to support the process of peace and reconciliation under way in that country.

52. If the provisions of the international human rights instruments were to be translated into reality, there must be a pragmatic approach. There was a need to recognize that freedom from hunger and want were preconditions for the enjoyment of human rights. The right to development and other economic rights had tended to be neglected. It was his Government's view that efforts to combat poverty and exclusion were an integral part of the protection of human rights and that freedom meant having adequate living conditions, employment, access to health care and education, and the right to social security.

53. Gabon, which had been engaged since 1990 in a process of democratization and strengthening of the rule of law, had introduced a number of measures aimed at reducing inequality and protecting the most vulnerable groups in society, in conformity with the obligations which it had assumed on acceding to the various international human rights instruments to which it was a party. A public mediator had been appointed to hear petitions from citizens who believed that their rights had been violated. Health services, particularly those for mothers and children, were being improved. Farmers, rural women and women from the most disadvantaged sections of the urban population were being provided with financial support to encourage income-generating activities. His Government was also receiving technical assistance from the Office of the United Nations High Commissioner for Human Rights in building a national human rights capacity.

54. He commended the work which the Office of the High Commissioner was carrying out despite the constraints imposed by inadequate human and financial resources. Through its prevention activities and the technical support which it provided to States, the Office had made a valuable contribution to the process of democratization.

55. In 1998, the international community would be celebrating the fiftieth anniversary of the Universal Declaration of Human Rights. That should provide an opportunity to mobilize the efforts of the international community towards strengthening respect for and the protection of human rights and fundamental freedoms.

56. **Mr. Arda** (Turkey), speaking in exercise of the right of reply, said that Turkey had never sought to invade Iraq, contrary to the allegations made by the representative of that country in his statement following the introduction of the report of the Special Rapporteur on the situation of human rights in Iraq. His Government was committed to preserving the sovereignty, independence and territorial integrity of Iraq. However, Iraq's inability to exercise its sovereignty over the whole of its territory, and the resulting power vacuum in the north of the country had allowed armed terrorists to become operational in the region and to launch incursions into Turkish territory, posing an unacceptable threat to Turkey's security and the lives of its citizens. That situation was the result of Iraq's own aggressive policies against neighbouring States. Until Iraq was able to re-establish its sovereignty in the area through full compliance with the relevant resolutions of the Security Council, Turkey would continue to take all necessary measures to counter the threat which it faced.

57. **Mr. Velliste** (Estonia), speaking in exercise of the right of reply, in response to the statement made by the representative of the Russian Federation under agenda item 112, said that Estonia's human rights record had been evaluated positively by the Council of Europe, of which it had been a member since 1993, the Organization for Security and Cooperation in Europe (OSCE) and the European Union, of which it was an associate country. The Council's Parliamentary Assembly had ceased to monitor the situation of human rights in Estonia as of January 1997. Furthermore, in its decision 51/421, the General Assembly had recognized the positive and fruitful cooperation between his Government and OSCE in the field of human rights. The Russian Federation had joined in the consensus on that decision and its representative had noted a number of other positive developments in his statement to the Committee. The Estonian delegation therefore believed that there was no need for further consideration of the issue.

58. **Mr. Al-Humaimidi** (Iraq), speaking in exercise of the right of reply, said that the comments made by the United States representative following the introduction of the report of the Special Rapporteur on the situation of human rights in Iraq had been motivated by that country's desire to prevent the lifting of the sanctions imposed on Iraq, despite Iraq's full compliance with the relevant Security Council resolution and contrary to the views of most members of the international community.

59. With regard to the comments of the representative of Kuwait concerning Kuwaiti nationals missing in Iraq, he wished to reiterate that his Government had made strenuous efforts to locate them. It had proposed a number of measures to the Tripartite Committee on missing Kuwaiti and third-party nationals, including the publication of the names and photographs of the missing persons in the national media. It was currently seeking to reach an agreement with the International Committee of the Red Cross to enable ICRC to visit detention sites within Iraq, and it had expressed its readiness to receive a delegation from the Governments of the Gulf States, which was to have included Kuwaiti parliamentarians, but that initiative had been rejected by Kuwait. It had also responded positively to proposals by the League of Arab States, Jordan, Qatar, the Russian Federation and Indonesia to send missions to Iraq. It was determined to solve the problem of the missing Kuwaiti nationals and was approaching the matter with great seriousness and flexibility. As to the allegations by the representative of Kuwait concerning the situation of human rights in Iraq, those allegations were motivated purely by political considerations.

60. Turkey's military intervention in northern Iraq and the aerial bombardment of that region, which had provoked a massive population exodus southwards, constituted unacceptable interference in Iraq's internal affairs and had been widely condemned by the international community.

61. **Ms. Wahbi** (Sudan), speaking in exercise of the right of reply, said that the allegation by the United States representative, in his statement under agenda item 112, that the Government of the Sudan was preventing full and impartial investigation of alleged human rights violations was unfounded. The Special Rapporteur on the situation of human rights in the Sudan, who had conducted several missions to the Sudan, had referred in his most recent report (A/52/510) to the work of a number of independent teams who were investigating alleged human rights violations in the country. Her Government was cooperating actively with the Special Rapporteur. Document A/51/542/Add.2 contained a report on the visit to the Sudan by the Special Rapporteur of the Commission on Human Rights on the question of religious intolerance who, in his statement to the Committee, had hailed the Government's cooperative approach. A number of representatives of international non-governmental human rights organizations, such as Human Rights Watch and the International Commission of Jurists, had also visited the country in response to her Government's open door policy, and invitations had been extended to the Special Rapporteur on the right to freedom of opinion and expression and the Chairperson of the Working Group on Contemporary Forms of Slavery.

62. She strongly condemned selectivity and the exploitation of the debate on human rights questions for political ends. The stated aim of United States policy was to change her Government's attitude. The Sudanese Government had been democratically elected, however, and was enacting the will of the Sudanese people. The allegations made against the Sudan appeared to reflect the anti-Islamic stance of its detractors, yet human rights were fundamental to the teachings of Islam and it was for that reason that her Government remained committed to their promotion and protection.

63. **Ms. Al-Awadi** (Kuwait), speaking in exercise of the right of reply, said that the statement made by the representative of Iraq concerning the missing Kuwaiti nationals in that country was yet another example of the Iraqi Government's prevarication and procrastination in dealing with the issue. At the most recent meeting of the Tripartite Committee, held in Geneva on 2 September 1997, the representatives of the countries of the alliance had expressed disappointment at the lack of progress on the matter and at Iraq's failure to cooperate. Her comments on the situation of human rights in Iraq had been motivated solely by concern and sympathy for Iraq's citizens, as demonstrated by her Government's provision of humanitarian assistance.

64. **Mr. Arda** (Turkey), speaking in exercise of the right of reply, said that one of the primary responsibilities of States was to protect the lives and property of their citizens, particularly when they were threatened with attack from a second country, with or without the consent of that country's Government. He strongly urged Iraq to comply fully with the relevant resolutions of the Security Council, for only then would it be in a position to exercise sovereignty over the whole of its territory and ensure the restoration of security in the region.

The meeting rose at 5.50 p.m.